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November 9, 2001

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

GUTMANN

APPLICATION NO: NOT YET ASSIGNED

FILED: HEREWITH

FOR: SOLVATES OF PYMETROZONE

Art Unit: NOT YET ASSIGNED

Examiner: NOT YET ASSIGNED

Assistant Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

**CLEAN COPY OF AMENDMENTS**

**In the specification:**

**Page 1, Before the first line of the specification, please add:**

"This application is a continuation of International Application No. PCT/EP00/04251, filed May 10, 2000, the contents of which are incorporated herein by reference."

**In the claims:**

**Please cancel claims 6- 9 without prejudice to the subject matter involved;**

**Claims 4 and 5 have been amended;**

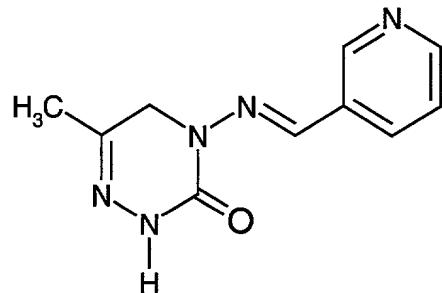
4.(Amended) A pesticidal composition which contains a compound according to claim 1 of formula (I) and one or more adjuvants.

5.(Amended) A method of controlling pests, which comprises applying an active ingredient of formula (I) as described in claim 1 in a pesticidally active quantity to the pests or to their locus.

**Please add new claims 10-12**

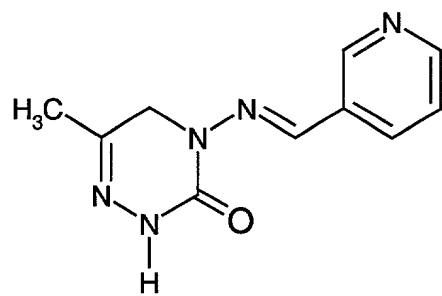
10.(New) A method of controlling pests, which comprises applying the composition according to claim 4 in a pesticidally active quantity to the pests or to their locus.

11.(New) A method for the preparation of a compound of formula (I) as described in claim 1, in which a non-solvated, pesticidally active compound of the formula:



is brought into contact with a solvation agent.

12.(New) A method for the preparation of pesticidal compositions as described in claim 4, which comprises bringing a pesticidal mixture containing an essentially solvate-free compound of formula

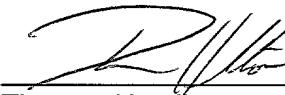


into contact with a solvation agent.

**REMARKS**

Kindly enter the foregoing amendment prior to calculating the filing fee.

Respectfully submitted,



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Thomas Hamilton  
Attorney for Applicant  
Reg. No. 40,464

Syngenta Crop Protection, Inc.  
Patent and Trademark Dept.  
410 Swing Road  
Greensboro, NC 27409  
(336) 632-7586

Date: *Nov. 9, 2001*

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the specification:**

**Page 1, Before the first line of the specification, please add:**

"This application is a continuation of International Application No. PCT/EP00/04251, filed May 10, 2000, the contents of which are incorporated herein by reference."

**In the claims:**

Claims 6-9 have been canceled.

Claims 4 and 5 have been amended as follows:

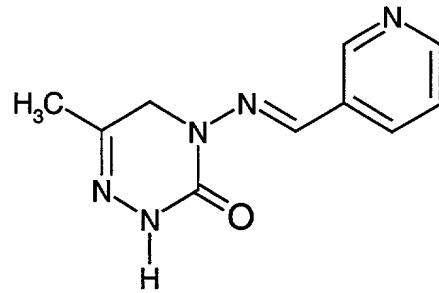
4.(Amended) A pesticidal composition which contains a compound according to [anyone of claims 1 to 3] claim 1 of formula (I) and one or more adjuvants.

5.(Amended) A method of controlling pests, which comprises applying an active ingredient of formula (I) as described in claim 1 [or a composition containing this active ingredient] in a pesticidally active quantity [as described in claim 4] to the pests or to their locus.

New claims 10-12 have been added.

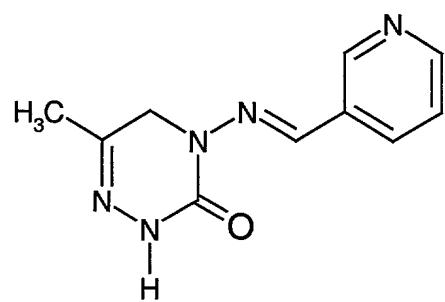
10.(New) A method of controlling pests, which comprises applying the composition according to claim 4 in a pesticidally active quantity to the pests or to their locus.

11.(New) A method for the preparation of a compound of formula (I) as described in claim 1, in which a non-solvated, pesticidally active compound of the formula:



is brought into contact with a solvation agent.

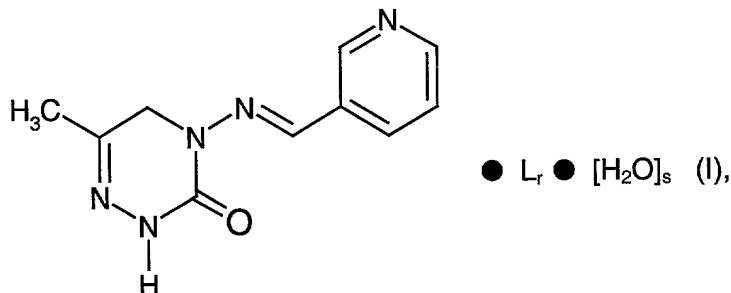
12.(New) A method for the preparation of pesticidal compositions as described in claim 4, which comprises bringing a pesticidal mixture containing an essentially solvate-free compound of formula



into contact with a solvation agent.

**CLEAN COPY OF ALL PENDING CLAIMS**

1. Compounds of formula



wherein

$r$  and  $s$ , independently of each other, signify any value between 0.00 and 12.00; and  
 $L$  is methanol, ethanol, propanol, isopropanol, butanol, isobutanol, t-butanol, cyclohexanol, tetrahydrofurfuryl alcohol, ethylene glycol, glycerol, methyl acetate, ethyl acetate, ethyl lactate, butyrolactone, ethylene carbonate, propylene carbonate, acetonitrile, dimethyl sulphoxide, dimethylformamide, dimethylacetamide, N-methyl-2-pyrrolidone, N-octyl-2-pyrrolidone, N-decyl-2-pyrrolidone, acetone, butanone, methyl isobutyl ketone, methylpropyl ketone, acetophenone, cyclohexanone, methylene chloride, trichloromethane, trichloroethane, tetrahydrofuran, diethylether, 1,2-dimethoxyethane, dioxane, methyl-tert.-butylether, ethanolamine, pyridine, chlorobenzene, toluene, xylene or tetramethylurea;  
with the proviso that  $r$  and  $s$  are not simultaneously 0,  
each in free form or in salt form, and the tautomers thereof, each in free form or in salt form.

2. Compounds of formula (I) according to claim 1, in which  $L$  signifies methanol.

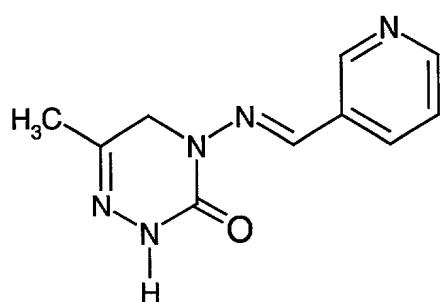
3. Compounds of formula (I) according to claim 1, in which  $r$  is 0 and  $s$  is 2.

4. A pesticidal composition which contains a compound according to claim 1 of formula (I) and one or more adjuvants.

5. A method of controlling pests, which comprises applying an active ingredient of formula (I) as described in claim 1 in a pesticidally active quantity to the pests or to their locus.

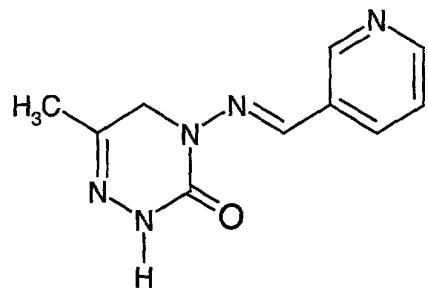
10. A method of controlling pests, which comprises applying the composition according to claim 4 in a pesticidally active quantity to the pests or to their locus.

11. A method for the preparation of a compound of formula (I) as described in claim 1, in which a non-solvated, pesticidally active compound of the formula:



into contact with a solvation agent.

12. A method for the preparation of pesticidal compositions as described in claim 4, which comprises bringing a pesticidal mixture containing an essentially solvate-free compound of formula



is brought into contact with a solvation agent.